

00-R-1337

(Do Not Write Above This Line)

A RESOLUTION BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT PERMITTING THE GEORGIA DEPARTMENT OF TRANSPORTATION TO PLACE PEACHTREE STREET VIADUCT AS TEMPORARY STATE ROUTE 1029, BRMLB-9158(1), P. I. 752020; AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 18 2000

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee <i>City Utilities</i>	Committee _____
Date <i>9-12-00</i>	Date _____
Chair <i>Chad Muller</i>	Chair _____
Action: Fav, Adv, Hold (see rev. side)	Action: Fav, Adv, Hold (see rev. side)
Other: _____	Other: _____
Members <i>Don Williams</i>	Members _____
_____	_____
_____	_____
Refer To _____	Refer To _____

Committee _____	Committee _____
Date _____	Date _____
Chair _____	Chair _____
Action: Fav, Adv, Hold (see rev. side)	Action: Fav, Adv, Hold (see rev. side)
Other: _____	Other: _____
Members _____	Members _____
_____	_____
_____	_____
Refer To _____	Refer To _____

FINAL COUNCIL ACTION  
☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☒ Consent ☐ V Vote ☐ RC Vote

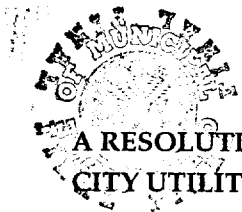
CERTIFIED

CERTIFIED  
SEP 18 2000  
ALLAN C. JOHNSON  
MUNICIPAL CLERK

CERTIFIED  
SEP 18 2000  
Rhonda Daughlin Johnson  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED  
SEP 21 2000  
*[Signature]*



CITY COUNCIL  
ATLANTA, GEORGIA

00-R-1337

A RESOLUTION BY:  
CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT PERMITTING THE GEORGIA DEPARTMENT OF TRANSPORTATION TO PLACE PEACHTREE STREET VIADUCT AS TEMPORARY STATE ROUTE 1029, BRMLB-9158(I), P.I. 752020; AND FOR OTHER PURPOSES.

WHEREAS, the city of Atlanta purchased on behalf of the Georgia Department of Transportation the old Georgia Power Building and Selig properties in support of the Multi-Modal Passenger Transportation (MMPIT) system; and

WHEREAS, in lieu of the city of Atlanta purchasing the old Georgia Power building and the Selig properties the Georgia Department of Transportation has agreed to design, construct and purchase right-of-way for the Peachtree Street Viaduct; and

WHEREAS, the Georgia Department of Transportation requires the City to enter into an agreement which allows Peachtree Street Viaduct to be added temporarily as State Route 1029 to support the design and construction; and

WHEREAS, the Georgia Department of Transportation requires that the maintenance of Peachtree Street Viaduct revert back to the City upon completion of the reconstruction of Peachtree Street Viaduct; and

WHEREAS, the city of Atlanta agrees that it shall indemnify and hold harmless the Georgia Department of Transportation from any and all responsibility for damages or liability, due to negligence, or both arising from the maintenance of said section of street.

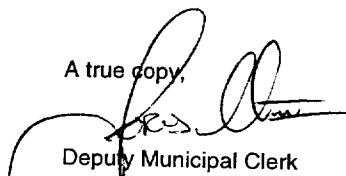
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Mayor be and is hereby authorized to enter into an appropriate contractual agreement for maintenance of temporary State Route 1029, Peachtree Street Reconstruction Project BRMLB-9158(I), P.I. 752020.

Section 2: That the City Attorney be and is hereby directed to prepare an appropriate contractual agreement in cooperation with the Department of Public Works, for execution by the Mayor, to be approved by the City Attorney as to form.

Section 3: That this agreement shall not become binding on the City of Atlanta and the city shall incur no liability upon same until such agreement has been executed by the Mayor and delivered to the Georgia Department of Transportation and countersigned by that Party.

A true copy,



Deputy Municipal Clerk

ADOPTED by the City Council  
APPROVED by the Mayor

September 18, 2000  
September 26, 2000

**CONTRACT FOR MAINTENANCE OF HIGHWAYS****NUMBERED 3264M**

**THIS AGREEMENT** made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2000, by and between the Department of Transportation of Georgia (hereinafter called the Department), and the Mayor and City Council of Atlanta (hereinafter called the City) to be effective on the \_\_\_\_\_ day of \_\_\_\_\_, 2000.

**WITNESSETH:**

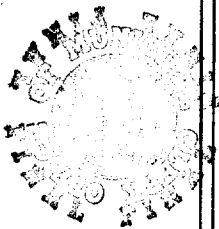
**WHEREAS**, the City has been notified that a section of Peachtree Street (Atlanta City Street 665) is being added to the State Highway System and will be temporarily designated as State Route 1029 until scheduled improvements are completed; and

**WHEREAS**, the Department and the City agree that it will be advantageous to all parties hereto, as well as to the traveling public, for the City to continue to fully maintain their respective section of the aforementioned City Street (temporary State Route 1029) while this section of roadway is temporarily on the State Highway System as well as after improvements are completed; and

**WHEREAS**, the parties hereto are acting under the authority of the Constitution of the State of Georgia, Article IX, Section III, paragraph I (1983).

**NOW THEREFORE**, in consideration of the sum of One Dollar by each of the parties to the other in hand paid, the receipt whereof is hereby acknowledged, and the mutual covenants herein contained, the parties hereto agree as follows:

Continued...

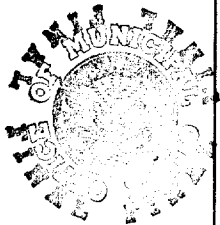


**PAGE TWO OF THREE**

- (1) The City will continue to fully maintain, as may be required by law for city streets, within their respective jurisdiction and within the limits of rights-of-way of the section of Peachtree Street (Atlanta City Street 665), while temporarily designated as State Route 1029. Said section of roadway is shown on the attached sketch map marked "Exhibit A" which by reference is incorporated herein and made a part of this instrument for the purpose of describing the road to be maintained under this agreement.
- (2) To the extent authorized by law, the City agrees to indemnify and hold harmless the Department from all suits, claims for damages or causes of action brought on account of the City's failure to perform those maintenance activities required by this contract as associated with the aforementioned temporary State Route.
- (3) The Department agrees that temporary State Route 1029 will remain on the State Highway System until the improvements are completed and said section of roadway is removed from the State Highway System. The Department shall provide written notice to the City as to the date that temporary State Route 1029 is removed from the State Highway System and the date of final termination of this contract.

**IN WITNESS WHEREOF**, this instrument has been and is executed on behalf of the Department by the Deputy Commissioner of the Department; and on behalf of the City of Atlanta by its Mayor, he being duly authorized to do so by the City Council of said City.

Continued...



3264M  
66(1149R)

**PAGE THREE OF THREE**

This on the date and year below written.

Executed on behalf of the  
Department this \_\_\_\_\_  
day of \_\_\_\_\_, 2000.

Executed on behalf of the City of  
Atlanta this \_\_\_\_\_ day of \_\_\_\_\_,  
2000.

By: \_\_\_\_\_  
Deputy Commissioner, Georgia  
Department of Transportation

By: \_\_\_\_\_  
Mayor, City of Atlanta

APPROVED:

ATTEST:

\_\_\_\_\_  
Chief Engineer, Georgia  
Department of Transportation

x  
\_\_\_\_\_  
Clerk, City of Atlanta

ATTEST:

\_\_\_\_\_  
Treasurer, Georgia  
Department of Transportation

## AUTHORIZING RESOLUTION

**Georgia, City of Atlanta.**

**WHEREAS**, the City of Atlanta (hereinafter called the City) was notified that a section of Peachtree Street (Atlanta City Street 665) is being added to the State Highway System as temporary State Route 1029 by an Order of the Commissioner of the Georgia Department of Transportation (hereinafter called the Department) as shown on the attached sketch map numbered 3264; and

**WHEREAS**, the City and the Department agree that it is in the public interest and in the interest of all parties hereto, for the City and the Department to enter into a contract numbered 3264M wherein the City will agree to fully maintain the aforementioned roadway while temporarily designated as State Route 1029.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of said City that its Mayor is hereby authorized to execute said contract on behalf of the City; and that a copy of this resolution be furnished to the Department.

This on the date and year below written.

Executed on behalf of the City of Atlanta this 8 day of August, 2000.

By: \_\_\_\_\_ Attest: \_\_\_\_\_  
Mayor, City of Atlanta Clerk, City of Atlanta

3264M



TO BE MAINTAINED, AS APPROPRIATE,  
BY THE CITY OF ATLANTA

ATLANTA

"EXHIBIT A"

SCALE: One Inch = 1,000 Ft.

RCS# 2218  
9/18/00  
2:15 PM

Atlanta City Council

Regular Session

CONSENT

PAGES: 1-19

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
Y Starnes  
Y Bond  
Y Winslow

Y Dorsey  
NV Woolard  
Y Morris  
Y Muller

Y Moore  
B Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-R-1321  
00-R-1322  
00-R-1388  
00-O-1435

**CORRECTED COPY**

CONSENT



		09/18/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSE ON CONSENT AGENDA
1. 00-O-1234 2. 00-O-1007 3. 00-O-1015 4. 00-O-1427 5. 00-O-1429 6. 00-O-1432 7. 00-R-1387 8. 00-R-1392 9. 00-R-1395 10. 00-R-1452 11. 00-R-1340 12. 00-R-1323 13. 00-R-1433 14. 00-R-0560 15. 00-R-0561 16. 00-R-1454 17. 00-R-1299 18. 00-R-1308 19. 00-R-1334 20. 00-R-1335 21. 00-R-1338 22. 00-R-1394 23. 00-R-1331 24. 00-R-1330 25. 00-R-1332 26. 00-R-1333 27. 00-R-1337 28. 00-R-1339 29. 00-R-1419 30. 00-R-1426 31. 00-R-1342 32. 00-R-1343 33. 00-R-1344 34. 00-R-1345 35. 00-R-1346 36. 00-R-1347 37. 00-R-1348 38. 00-R-1349 39. 00-R-1350 40. 00-R-1351	41. 00-R-1352 42. 00-R-1353 43. 00-R-1397 44. 00-R-1398 45. 00-R-1399 46. 00-R-1400 47. 00-R-1401 48. 00-R-1402 49. 00-R-1403 50. 00-R-1404	51. 00-R-1357 52. 00-R-1358 53. 00-R-1359 54. 00-R-1360 55. 00-R-1362 56. 00-R-1363 57. 00-R-1364 58. 00-R-1365 59. 00-R-1366 60. 00-R-1367 61. 00-R-1368 62. 00-R-1369 63. 00-R-1370 64. 00-R-1371 65. 00-R-1372 66. 00-R-1373 67. 00-R-1374 68. 00-R-1375 69. 00-R-1376 70. 00-R-1377 71. 00-R-1378 72. 00-R-1379 73. 00-R-1380 74. 00-R-1381 75. 00-R-1382 76. 00-R-1383 77. 00-R-1384 78. 00-R-1385 79. 00-R-1386 80. 00-R-1405 81. 00-R-1406 82. 00-R-1407 83. 00-R-1408 84. 00-R-1409 85. 00-R-1410 86. 00-R-1411 87. 00-R-1412 88. 00-R-1413